



*United States Attorney
Southern District of New York*

*United States District Courthouse
50 Main Street – Suite 1100
White Plains, New York 10606*

September 11, 2024

Honorable Victoria Reznik
United States Magistrate Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: United States v. Charudet Smith
24 mj 551

Dear Judge Reznik:

The defendant in the above-referenced matter was charged in a complaint dated February 5, 2024 with sexual exploitation in violation of 18 U.S.C. § 2251(a). He was released on bail with various conditions, including home detention and electronic monitoring.

Defense counsel, Isabelle Kirshner, Esq., retained a psychiatrist, Dr. Jeremy Huston Colley, to examine the defendant. Ms. Kirshner provided the Government with Dr. Colley's report on August 14, 2024. Dr. Colley's report concluded that the defendant is not competent to proceed. After reviewing Dr. Colley's report, the Government believes that it would be worthwhile to have a second psychiatrist examine the defendant and prepare a report with respect to the defendant's competency. The Government has conferred with Dr. Stuart Kleinman, who has indicated that he is available to conduct such examination and prepare a report. Accordingly, the Government is submitting the enclosed proposed Order for the Court's consideration. Ms. Kirshner has advised the Government that the defendant consents to the entry of this Order.

Respectfully,
DAMIAN WILLIAMS
United States Attorney

By:

Marcia S. Cohen
Assistant U.S. Attorney
(914) 993-1902

cc: Isabelle Kirshner, Esq.
Enclosure.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : ORDER DIRECTING REPORT
: BY PSYCHIATRIST
- v. - :
: 24 MJ 0551
CHARUDET SMITH, :
:
Defendant. :
:
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Upon the application of the United States of America, by and through Damian Williams, United States Attorney, Marcia S. Cohen, of counsel, and with the consent of the defendant, CHARUDET SMITH, by his counsel, Isabelle Kirshner, Esq., it is hereby

ORDERED, pursuant to Title 18, United States Code, Sections 4241, *et seq.*, that Dr. Stuart Kleinman, M.D., a duly licensed and qualified psychiatrist, shall conduct a psychiatric examination of CHARUDET SMITH, the defendant, to determine whether he can understand the nature and consequences of the proceedings against him and whether he can assist properly in his defense;

It is further ORDERED that Dr. Kleinman shall submit his findings and conclusions as to competency in writing to the Government, defense counsel and the Court in as expeditious a manner as possible;

It is further ORDERED that Dr. Kleinman's fees of \$700 per hour shall be paid by the United States Department of Justice, pursuant to Criminal Justice Act Guidelines, Vol. 7A, Guide to Judiciary Policy § 320.20.60;

It is further ORDERED that counsel for the Government and defendant are to provide

Dr. Kleinman with copies of the Complaint, available medical records, and other information, the provision of which is agreeable to the Government and the defendant, and that would assist Dr. Kleinman with his examination.

Dated: White Plains, New York
September __, 2024

THE HONORABLE VICTORIA REZNIK
UNITED STATES MAGISTRATE JUDGE